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7 JOSE CARLOS DELPALACIO,  
8 Petitioner,  
9 v.  
10 M. L. MUNIZ, Warden  
11 Respondent.  
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10 Case No. 16-04190 EJD (PR)

11 **ORDER OF DISMISAL**

16 Petitioner, a California prisoner, filed a pro se petition for a writ of habeas corpus  
17 pursuant to 28 U.S.C. § 2254. The Clerk notified Petitioner that he needed to either pay  
18 the filing fee or file a motion for leave to proceed in forma pauperis ("IFP"). (Docket No.  
19 3.) Petitioner notified the Court that he intended to pay the filing fee and requested  
20 additional time in which to do so. (Docket No. 5 at 2.) On October 5, 2016, the Court  
21 granted Petitioner an additional twenty-eight days to either pay the filing fee or file an IFP  
22 application. (Docket No. 8.) Petitioner has not paid the filing fee or had any further  
23 communication with the Court. Accordingly, his petition is **DISMISSED** without  
24 prejudice.

25 **IT IS SO ORDERED.**

26 Dated: 11/23/2016

  
27 EDWARD J. DAVILA  
28 United States District Judge